

The opinion in support of the decision being entered today was **not** written for publication and is **not** binding precedent of the Board.

Paper No. 14

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte NEIL L. HOOPINGARNER and BARRY D. MATIN

Appeal No. 1998-1308
Application 08/469,397

ON BRIEF

Before COHEN, PATE, MCQUADE, Administrative Patent Judges.
PATE, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1, 3, 4, 6, and 7. These are the only claims remaining in the application.

The claimed invention is directed to a rigid foam board used as the peripheral core in a sandwich panel. The foam

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board is characterized by three series of linear indentations. The indentations of each series are parallel and intersect the other indentations at an angle of 60 degrees. The indentations are useful in allowing volatile products to vent from the sandwich panel during bonding.

Claim 1 reproduced below is further illustrative of the claimed subject matter.

A rigid foam board for fabrication of sandwich panels made from two face sheets bonded one each over each side of said foam board, comprising:

a polyurethane foam board having opposed planar faces, at least one of said faces having embossed therein a pattern having three series of parallel linear indentations, each of said series intersecting the other two series and lying at an angle 60° angularly offset from the other two series;

said indentations being sufficiently deep and close together to provide escape paths for volatiles generated during said bonding, whereby said face sheets may be bonded over said polyurethane foam board and said escape paths vent said volatiles and prevent the development of excessive pressure between said face sheets that otherwise would interfere with said bonding.

The references of record relied upon by the examiner as evidence of anticipation and obviousness are:

Wolf	4,188,428	Feb.
12, 1980		
Brambach	4,826,723	May 2,
1989		

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The examiner further relies on the admitted prior art at page 1 in the specification.

THE REJECTIONS

Claims 1 and 3 stand rejected under 35 U.S.C. § 102 or in the alternative 35 U.S.C. § 103 as anticipated by or obvious over Wolf.

Claims 1, 3, 6, and 7 stand rejected under 35 U.S.C. § 103 as unpatentable over Brambach in view of Wolf.

Claim 4 stands rejected under 35 U.S.C. § 103 as unpatentable over Wolf and Brambach and further in view of the admitted prior art. For the details of the appellants' and the examiner's arguments, with respect to the rejections on appeal, reference is made to the appeal brief and examiner's answer for a full statement thereof.

OPINION

We have carefully reviewed the rejections on appeal in light of the arguments of appellants and the examiner. As a result of this review, we have reached the determination that

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the Wolf disclosure does not anticipate or render obvious claims 1 and 3. The combined disclosures of Brambach and Wolf do not render obvious claims 1, 3, 6 or 7, nor does the combined disclosure of Brambach, Wolf , and the admitted prior art render obvious

claim 4. Therefore the rejections on appeal are reversed. Our reasons follow.

Turning to the patent of Wolf, we agree with the examiner that Wolf discloses a polyurethane foam core board for use in fabrication of a sandwich panel. Wolf discloses that the bounce properties of the ping-pong table made from the panel can be improved by the provision of a regular rectangular pattern of narrow grooves formed in the faces of the panel. Wolf discloses a rectangular pattern and states that this pattern is preferred. Wolf further states that the grid pattern may be non-rectangular, in which case the grooves may intersect at an angle of between 40 and 90 degrees.

On the other hand, we are in agreement with appellants that Wolf does not disclose three series of indentation with each series intersecting indentations of the other series at

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angles of 60 degrees. At most, Wolf discloses two series of indentations, which Wolf, for convenience, terms the longitudinal and transverse series. Since the claim is specifically directed to three series of indentations, Wolf does not anticipate or render obvious three series of indentations. We are constrained to reverse the rejection based on Wolf under section 102 or 103.

Likewise, the reference disclosure of Brambach and the admitted prior art cannot ameliorate the difficulties we have found in the disclosure of Wolf.

Accordingly, the rejections based on a combination of references are also reversed.

REVERSED

IRWIN CHARLES COHEN)	
Administrative Patent Judge)	
)	
)	
)	BOARD OF PATENT
WILLIAM F. PATE III)	
Administrative Patent Judge)	APPEALS AND
)	
)	INTERFERENCES
)	
JOHN P. MCQUADE)	

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Administrative Patent Judge)

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